

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: LIBOR-BASED FINANCIAL
INSTRUMENTS ANTITRUST LITIGATION

MDL No. 2262 (NRB)

THIS DOCUMENT RELATES TO:

MAYOR AND CITY COUNCIL OF
BALTIMORE, et al.,

No. 11-cv-5450 (NRB)

Plaintiffs,

v.

CREDIT SUISSE AG, et al.,

Defendants.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 04/05/2018**

**ORDER PRELIMINARILY APPROVING SETTLEMENT BETWEEN
OTC PLAINTIFFS AND DEUTSCHE BANK AKTIENGESELLSCHAFT**

THIS CAUSE came before the Court on OTC Plaintiffs' Motion for Preliminary Approval of Settlement with Deutsche Bank Aktiengesellschaft, also known as Deutsche Bank AG ("Deutsche Bank"), filed February 27, 2018. OTC Plaintiffs have entered into a settlement agreement, dated February 6, 2018 ("Settlement Agreement"), with Deutsche Bank. The Court, having reviewed the Motion, its accompanying memorandum and declaration, the Settlement Agreement, and the file, hereby:

ORDERS AND ADJUDGES:

1. Terms used in this Order that are defined in the Settlement Agreement are, unless otherwise defined herein, used in this Order as defined in the Settlement Agreement.

Preliminary Approval of Settlement Agreement

2. The terms of the Settlement Agreement are hereby preliminarily approved, including the releases contained therein, as being fair, reasonable, and adequate to the OTC Class, subject to the Fairness Hearing described below.

Plan of Distribution and Notice to OTC Class Members

3. At a later date, OTC Plaintiffs' Counsel shall submit to the Court for approval a plan of distribution and a notice plan for purposes of advising OTC Class Members, among other things, of the plan of distribution, their right to object to the Settlement Agreement, their right to exclude themselves from the OTC Class, the procedure for submitting a request for exclusion, the time, date, and location of the Fairness Hearing, and their right to appear at the Fairness Hearing. Any notice plan undertaken shall advise OTC Class Members of both this settlement and the settlement between OTC Plaintiffs and HSBC Bank plc.

Settlement Administration

4. The Court approves Kenneth Feinberg as the Settlement Administrator.
5. The Court approves Rust Consulting, Inc. as the Claims Administrator.
6. The Court approves Huntington Bank as the Escrow Agent.

Other Provisions

7. In the event that the Settlement Agreement is terminated in accordance with its provisions, the Settlement Agreement and all proceedings had in connection therewith shall be null and void, except insofar as expressly provided to the contrary in the Settlement Agreement, and without prejudice to the status quo ante rights of OTC Plaintiffs, Deutsche Bank, and the members of the OTC Class.

8. This order is without prejudice to the non-settling Defendants seeking relief from the Court and an opportunity for briefing to the extent that this settlement attempts to deprive

such Defendants of information to which they otherwise would be entitled under the Federal Rules.

IT IS SO ORDERED on this 5th day of April, 2018.



Hon. Naomi Reice Buchwald

UNITED STATES DISTRICT JUDGE